

OFFICIAL GAZETTE



GOVERNMENT OF GOA

GOVERNMENT OF GOA

Department of Education, Art & Culture

Directorate of Education

Notification

Acad/Misc/24/2003

Whereas certain draft rules to amend the Goa, Daman and Diu School Education Rules, 1986 were published as required by sub-section (1) of section 29 of the Goa, Daman and Diu School Education Act, 1984 (Act 15 of 1985), at page 1790 of the Official Gazette, Series I, No. 48, dated 26th February, 2004, under Notification No. Acad/Misc/24/2003 dated 10th February, 2004, of the Department of Education, inviting objections and suggestions from all persons likely to be affected thereby before the expiry of the thirty days from the date of publication of the said Notification in the Official Gazette;

And Whereas the said Gazette was made available to the public on 26th February, 2004;

And Whereas no objections and suggestions have been received from the public on the said draft Rules by the Government of Goa within the said period of thirty days.

Now, therefore, in exercise of the powers conferred by Section 29 of the Goa, Daman and Diu School Education Act, 1984 (Act 15 of 1985), the Government of Goa hereby makes the following rules so as to amend the Goa, Daman

and Diu School Education Rules, 1986, as follows, namely:—

1. *Short title and commencement.*— (1) These rules may be called the Goa School Education (Amendment) Rules, 2004.

(2) They shall come into force at once.

2. *Amendment of rule 46.*— In rule 46 of the Goa, Daman and Diu School Education Rules, 1986 after sub-rule (4), the following sub-rule shall be inserted, namely:—

“(5) The Managing Committee of the School shall be reconstituted well in advance before the expiry of its term, with due approval of the Director of Education.”

By order and in the name of the Governor of Goa.

Ashok N. P. Dessai, Director of Education and ex officio Joint Secretary.

Panaji, 21st April, 2004.

Department of Finance

Revenue and Expenditure Division

Office Memorandum

12/3/82-Fin(R&C)Vol. I

A copy of the under mentioned Office Memorandum received from the Government of India, Ministry of Personnel, Public Grievances & Pensions, Department of Pension & Pensioners Welfare, New Delhi is forwarded herewith for being published in the Official Gazette.

D. G. Sardesai, Under Secretary (Fin-Exp.).

Panaji, 19th April, 2004.

GOVERNMENT OF INDIA

MINISTRY OF PERSONNEL, PUBLIC
GRIEVANCES & PENSIONS
DEPARTMENT OF PENSION
& PENSIONERS WELFARE

New Delhi, the 15th March, 2004.

Office Memorandum

42/2/2004-P&PW (G)

Subject:- Grant of dearness relief to Central Government pensioners/Family pensioners - Revised rate effective from 1-1-2004.

The undersigned is directed to refer to this Department's OM No. 42/2/2003-P&PW(G) dated 10-9-2003 sanctioning the installment of dearness relief admissible from 1-7-2003 and to state that the President is pleased to decide that dearness relief payable to the Central Government Pensioners/Family Pensioners shall be enhanced from the existing rate of 59% to 61% with effect from 1-1-2004.

2. From 1-4-2004, Dearness Relief equal to 50% of basic pension/Family pension would be converted into Dearness Pension/Dearness family pension. Government has issued order in this regard vide Department of Expenditure; Ministry of Finance O. M. No. 105/1/2004-IC dated 1st March, 2004 (Copy enclosed). Consequently, Dearness Relief from 1-4-2004 would be payable at the rate of 11% on Basic Pension/family pension and Dearness pension/Dearness family pension.

3. Since 50% of Dearness Allowance converted into Dearness Pay is counted for retirement benefits, pension/family pension shall be calculated at 50% and 30% respectively of Pay Plus Dearness Pay subject to minimum of Rs. 1913/- and maximum of 50% and 30% respectively of the highest Pay Plus Dearness Pay in the Government. Provisions contained in para 5 of 7.1 of this Department's O.M. No. 45/86/97-P&PW(A)-Pt. I dated 27-10-1997, therefore, stand amended to this extent.

4. These orders apply to (i) All Civilian Central Government Pensioners/Family Pensioners (ii) The Armed Forces Pensioners, Civilian Pensioners paid out of the Defence Service Estimates, (iii) All India Service Pensioners (iv) Railway pensioners and (v) The Burma Civilian pensioners/family

pensioners and pensioners/families of displaced Government pensioners from Pakistan, who are Indian Nationals but receiving pension on behalf of Government of Pakistan, who are in receipt of ad hoc ex-gratia allowance of Rs. 1275/- p.m. in terms of this Department's OM No. 23/1/97-P&PW(B) dated 23-2-1998.

5. Central Government Employees who had drawn lump sum amount on absorption in a PSU/Autonomous body and have become eligible to restoration of 1/3rd commuted portion of pension as well as revision of the restored amount in terms of this Department's OM No. 4/59/97-P&PW(D) dated 14-7-1998 will also be entitled to the Payment of Dearness relief @ 61% w.e.f. 1-1-2004 on full pension i.e. the revised pension which the absorbed employee would have received on the date of restoration had he not drawn lump sum payment on absorption subject to fulfillment of the conditions laid down in para 5 of the O.M. dated 14-7-98. In this connection, instructions contained in this Department's OM No. 4/29/99-P&PW(D) dated 12-7-2000 refers. From 1-4-2004, Dearness Relief equal to 50% of basic pension/family pension would be converted into Dearness Pension/Dearness family pension. Consequently, Dearness Relief from 1-4-2004 would be payable at the rate of 11% on the basis of Basic Pension/family pension and Dearness pension/Dearness family pension.

6. The surviving CPF beneficiaries who had retired from service between the period 18-11-1960 to 31-12-1985 and are in receipt of Ex-gratia @ Rs. 600/- p.m. with effect from 1-11-1997 under this Department's O.M. No. 45/52/97-P&PW(E) dated 16-12-1997 are entitled to Dearness Relief @ 61% w.e.f. 1-1-2004. From 1-4-2004, Dearness Relief equal to 50% of Ex-gratia would be converted into Dearness Ex-gratia. Consequently, Dearness Relief from 1-4-2004 would be payable at the rate of 11% on the basis of Basic Ex-gratia and Dearness Ex-gratia.

7. The following categories of CPF beneficiaries who are in receipt of Ex-gratia payment in terms of this Department's OM No. 45/52/97-P&PW(E) dated 16-12-1997 will be paid DR @ 53% with effect from 1-1-2004. From 1-4-2004, Dearness Relief equal to 50% of Ex-gratia would be converted into Dearness Ex-gratia. Consequently, Dearness Relief from 1-4-2004 would be payable at the rate of 3% on the basis of Basic Ex-Gratia and Dearness Ex-gratia.

(i) The widows and dependent children of the deceased CPF beneficiary who had retired from service prior to 1-1-1986 or who had died while in service prior to 1-1-1986 and are in receipt of Ex-gratia payment of Rs. 605/-p.m.

(ii) Central Government Employees who had retired on CPF benefits before 18-11-1960 and are in receipt of Ex-gratia payment of Rs. 654/-, Rs. 659/-, Rs. 703/- and Rs. 965/-.

8. Payment of Dearness Relief involving a fraction of a rupee shall be rounded off to the next higher rupee.

9. Other provisions governing grant of Dearness Relief in respect of employed family pensioners and re-employed Central Government Pensioners will be regulated in accordance with the provisions contained in this Department's OM No. 45/73/97-P&PW(G) dated 2-7-1999. The provisions relating to regulation of Dearness Relief where pensioner is in receipt of more than one pension will remain unchanged.

10. In the case of retired Supreme Court and High Court Judges, necessary orders will be issued by the Department of Justice separately.

11. It will be the responsibility of the pension disbursing authority, including the nationalized banks, etc. to calculate the quantum of Dearness Relief payable in each individual case.

12. The Offices of Accountant General and Authorized Public Sector Banks are requested to arrange payment of relief to pensioners etc. on the basis of above instructions without waiting for any further instructions from the Comptroller and Auditor General of India and the Reserve Bank of India in view of letter No. 528-TA,II/84-80-II dated 23-4-1981 of the Comptroller and Auditor General of India addressed to all Accountant Generals and Reserve Bank of India Circular No. GANB No. 2958/GA-64(ii) (CGL)/81 dated the 21st May, 1981 addressed to State Bank of India and its subsidiaries and all Nationalized Banks.

13. In their application to the employees belonging to Indian Audit and Accounts Department these orders issue in consultation with the C & AG.

14. This issues with the concurrence of Ministry of Finance, Department of Expenditure vide their U.O. No. 278/2004/IC dated 15th March, 2004.

Sd/-
(M. P. SINGH)
Director

Government of India

Ministry of Finance

Department of Expenditure

New Delhi, the 1st March, 2004.

Office Memorandum

F. No. 105/1/2004-IC

Subject:- Merger of 50% Dearness Allowance/ Dearness relief with basic pay/pension to Central Government employees/ pensioners w.e.f. 1-4-2004.

The Fifth CPC in para 105.11 of their Report has recommended that 'DA should be converted into Dearness Pay each time the CPI increases by 50% over the base index used by the last Pay Commission'.

2. This recommendation of Fifth CPC has been considered and the President is pleased to decide that, with effect from 1-4-2004, DA equal to 50% of the existing basic pay shall be merged with the basic pay and shown distinctly as Dearness Pay (DP) which would be counted for purposes like payment of allowances, transfer grant, retirement benefits, contribution to GPF, Licence Fee, monthly contribution for CGHS, various advances etc. The entitlements for LTC, TA/DA while on tour and transfer and government accommodation shall, however, continue to be governed on the basis of the basic pay alone without taking into account Dearness Pay. In case of existing pensioners, Dearness relief equal to 50% of the present pension will, w.e.f. 1-4-2004, be merged with pension and shown distinctly as Dearness Pension. Dearness Allowance/ Dearness Relief converted into Dearness Pay/ Dearness Pension respectively would be deducted from the existing rate of Dearness Allowance/ Dearness Relief.

3. To ensure that pensioners retiring between 1-4-2004 to 31-1-2005 do not face any loss in fixation of pension, as a special dispensation in their case, DA equal to 50% of the basic pay would be treated as basic pay for purposes of computation of pension in respect of basic pay received by them prior to 1-4-2004. Consequently, element of dearness pension will exist only for pensioners retired/retiring from Government of India upto 31-3-2004.

4. In so far as the persons serving in the Indian Audit & Accounts Department are concerned, these orders issue after consultation with the Comptroller & Auditor General of India.

Sd/-

(SUSHAMA NATH)

Joint Secretary to the Govt. of India

Department of Law and Judiciary

Legal Affairs Division

Notification

10/3/2003-LA

The Water (Prevention and Control of Pollution) Cess (Amendment) Act, 2003 (Central Act No. 19 of 2003), which has been passed by the Parliament and assented to by the President of India on 13-3-2003 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 17-3-2003, is hereby published for general information of the public.

S. G. Marathe, Under Secretary (Drafting).

Panaji, 19th February, 2004.

**THE WATER (PREVENTION AND CONTROL
OF POLLUTION) CESS (AMENDMENT)
ACT, 2003**

AN

ACT

further to amend the Water (Prevention and Control of Pollution) Cess Act, 1977.

BE it enacted by Parliament in the Fifty-fourth Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Water (Prevention and Control of Pollution) Cess (Amendment) Act, 2003.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. *Amendment of section 2.*— In the Water (Prevention and Control of

Pollution) Cess Act, 1977 (hereinafter 36 of 1977, referred to as the principal Act), in section 2, for clause (c), the following clause shall be substituted, namely:—

“(c) “industry” includes any operation or process, or treatment and disposal system, which consumes water or gives rise to sewage effluent or trade effluent, but does not include any hydel power unit;”.

3. *Substitution of certain expression.*— In the principal Act, for the words “specified industry”, wherever they occur, the word “industry” shall be substituted.

4. *Substitution of new section for section 16.*— For section 16 of the principal Act, the following section shall be substituted, namely:—

“16. *Power of Central Government to exempt the levy of water cess.*— (1) Notwithstanding anything contained in section 3, the Central Government may, by notification in the Official Gazette, exempt any industry, consuming water below the quantity specified in the notification, from the levy of water cess.

(2) In exempting an industry under sub-section (1), the Central Government shall take into consideration—

(a) the nature of raw material used;

(b) the nature of manufacturing process employed;

(c) the nature of effluent generated;

(d) the source of water extraction;

(e) the nature of effluent receiving bodies; and

(f) the production data, including water consumption per unit production, in the industry and the location of the industry.”.

5. *Omission of Schedule I.*— Schedule I to the principal Act shall be omitted.

6. *Substitution of new Schedule for Schedule II.*— For Schedule II to the principal Act, the following Schedule shall be substituted, namely:—

"SCHEDULE II

(See section 3)

Purpose for which water is consumed	Maximum rate under sub-section (2) of section 3	Maximum rate under sub-section (2A) of section 3
1	2	3
1. Industrial cooling, spraying in mine pits or boiler feeds	Five paise per kilolitre	Ten paise per kilolitre.
2. Domestic purpose	Two paise per kilolitre	Three paise per kilolitre.
3. Processing whereby water gets polluted and the pollutants are—	Ten paise per kilolitre.	Twenty paise per kilolitre.
(i) easily biodegradable; or		
(ii) non-toxic; or		
(iii) both non-toxic and easily biodegradable		
4. Processing whereby water gets polluted and the pollutants are—	Fifteen paise per kilolitre	Thirty paise per kilolitre."
(i) not easily biodegradable; or		
(ii) toxic; or		
(iii) both toxic and not easily biodegradable		

Notification

10/3/2003-LA

The Appropriation (Railways) No. 2 Act, 2003, (Central Act No. 23 of 2003), which has been passed by the Parliament and assented to by the President of India on 13-3-2003 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 17-3-2003, is hereby published for general information of the public.

S. G. Marathe, Under Secretary (Drafting).

Panaji, 19th February, 2004.

THE APPROPRIATION (RAILWAYS) No. 2
ACT, 2003

AN

ACT

to provide for the authorisation of appropriation
of moneys out of the Consolidated Fund of India

to meet the amounts spent on certain services for the purposes of Railways during the financial year ended on the 31st day of March, 2001 in excess of the amounts granted for those services and for that year.

BE it enacted by Parliament in the Fifty-fourth Year of the Republic of India as follows:—

1. *Short title.*— This Act may be called the Appropriation (Railways) No. 2 Act, 2003.

2. *Issue of Rs. 14,35,540 out of the Consolidated Fund of India to meet certain expenditure for the year ended on the 31st day of March, 2001.*— From and out of the Consolidated Fund of India, the sums specified in column 3 of the Schedule amounting in the aggregate to the sum of fourteen lakhs, thirty-five thousand, five hundred and forty rupees shall be deemed to have been authorised to be paid and applied to meet the amounts spent for defraying the charges in respect of the services relating to railways specified in column 2 of the Schedule during the financial year ended on the 31st day of March, 2001, in excess of the amounts granted for those services and for that year.

3. **Appropriation.**— The sums deemed to have been authorised to be paid and applied from and out of the Consolidated Fund of India under this Act shall be deemed to have been appropriated for the services and purposes expressed in the Schedule in relation to the financial year ended on the 31st day of March, 2001.

THE SCHEDULE

(See sections 2 and 3)

1 No. of Vote	2 Services and purposes	3 Sums aggregating to		
		Voted by Parliament	Charged on the Consolidated Fund	Total
		Rs.	Rs.	Rs.
3	General Superintendence and Services on Railways .....	.....	4,942	4,942
6	Repairs and Maintenance of Carriages and Wagons .....	.....	41,204	41,204
7	Repairs and Maintenance of Plant and Equipment .....	.....	33,182	33,182
16	Assets—Acquisition, Construction and Replacement—			
	Revenue .....	.....	28,664	28,664
	Other Expenditure			
	Capital .....	.....	13,27,548	13,27,548
	Total:	.....	14,35,540	14,35,540

Government Printing Press

Revised Notice

Revised Subscription Rates for Official Gazette with effect from 01-05-2004 are as follows:

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